

# MOSES & SINGER LLP

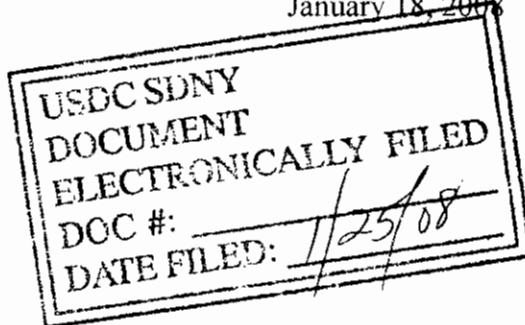
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January 18, 2008

## VIA HAND DELIVERY

Hon. Loretta A. Preska  
United States District Judge  
500 Pearl Street  
Room 1320  
New York, NY 10007



RECEIVED

JAN 22 2008

LORETTA A. PRESKA  
U. S. DISTRICT JUDGE  
S. D. N. Y.

**Re: Enron Power Marketing Inc. v. Public Utility District No. 1 of  
Snohomish County; Case No. 07-CV-03078 (LAP)**

Dear Judge Preska:

We are co-counsel for Public Utility District No. 1 of Snohomish County, Washington ("Snohomish").

Enclosed please find a copy of the Settlement and Release of Claims Agreement executed by and between each of the Enron Parties, the Trial Staff of the Federal Energy Regulatory Commission and Public Utility District No. 1 of Snohomish County, Washington on or about October 9, 2007 ("Settlement Agreement"). The Settlement Agreement was approved by orders of both United States Bankruptcy Judge Arthur J. Gonzalez on November 8, 2007 and the Federal Energy Regulatory Commission on January 8, 2008 (the "Orders").

Pursuant to Section 5.2.2 of the Settlement Agreement, as approved in the Orders, Snohomish is obligated to dismiss with prejudice the above-referenced appeal. Accordingly, and pursuant to directions received from your chambers, we respectfully submit this letter request to have this matter dismissed with prejudice.

The Clerk of the Court shall  
mark this action closed and all  
pending motions denied as moot.

SO ORDERED:

*Loretta A. Preska*  
LORETTA A. PRESKA, U.S.D.J.

Enclosure

cc: Jonathan Polkes, Esq. (via e-mail)  
Mark Ellenberg, Esq. (via e-mail)

Respectfully submitted,

MOSES & SINGER LLP

*Scott E. Silberfein*  
Scott E. Silberfein